



8/478153

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. MPS 11-83D2D1

Anticipated Classification of this application:

Class: Subclass:

Prior application:

Examiner: C. Chereskin

Art Unit: 1803

proa

THE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

SIR: This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.60, of pending prior application serial no. 08/151,615 filed on November 12, 1993 of Michael J. Adang, John D. Kemp for Insect Resistant Plants

1. ☒ Enclosed is a complete copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See 14 below.)
2. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 ☐ is enclosed ☐ was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. ☒ The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS
CANCELLED BY AMENDMENT BELOW

For	Number filed	Number extra	Rate	Basic Fee \$ 730.00
Total Claims	1 - 20=	0	x \$22	0
Independent Claims	1 - 3=	0	x \$76	0
<input type="checkbox"/> Multiple Dependent Claim Presented			\$240	0
TOTAL FILING FEE			\$ 730.00	

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

Express Mail No.: EG 875875319 Date of Deposit: June 7, 1995

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Gwendolyn L. Daniels
Name of person mailing paper

Gwendolyn L. Daniels
Signature

4. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-0065. A duplicate copy of this sheet is enclosed.
5. ☐ A check in the amount of \$ 3-4 is enclosed.
6. ☒ Cancel in this application original claims 16 and 18-19

of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

7. ☒ Amend the specification by inserting before the first line the sentence: --This is a ☒ continuation, ☐ division, of application serial no. 08/151,615, filed November 12, 1993 --
8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by §1.138 and before payment of base issue fee.)
9. ☒ New drawings are enclosed.
10. ☐ Priority of application serial no. _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.
- ☐ The certified copy has been filed in prior application serial no. _____, filed _____.
11. ☒ The prior application is assigned of record to Mycogen Plant Science, Inc.
12. ☒ The power of attorney in the prior application is to: Roman Saliwanchik, Registration No. 21,023; David R. Saliwanchik, Registration No. 31,794; Jeff Lloyd, Registration No. 35,589; Ted W. Whitlock, Reg. No. 36,965; and Jean Kyle, Reg. No. 36,987.
Address: 2421 N.W. 41st Street, Suite A-1
Gainesville, FL 32606.
- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future communications to Jeff Lloyd, 2421 N.W. 41st Street, Suite A-1, Gainesville, FL 32606; Phone (904) 375-8100; Fax (904) 372-5800
(May only be completed by applicant, or attorney, or agent of record).
13. ☐ A preliminary amendment is enclosed. (Claims added by the amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No. 08/151,615 as originally filed on November 12, 1993.
15. ☒ This application is being mailed by Express Mail under 37 CFR 1.10 and the required certificate appears on page one of this paper.

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

7 JUNE 1995

(date)

Address of signator:

2421 N.W. 41st Street, Suite A-1

Gainesville, FL 32606

(signature)

☐ Inventor(s)

☐ Assignee of complete interest

☒ Attorney or agent of record

☐ Filed under § 1.34(a)